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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10
11 **DAWNYELL FLYNN,**

12
13 **Plaintiff,**

14 **v.**

15 **GATES, et al.,**

16 **Defendants.**

Case No. 2:24-cv-00083-CDS-DJA

**STIPULATION AND PROPOSED
ORDER TO EXTEND DISCOVERY
(FIRST REQUEST)**

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18 The parties hereto through their undersigned counsel hereby respectfully submit the
19 following Stipulation to Extend Discovery Deadlines. This is the first request to extend discovery
20 in this matter.
21

22 **I. DISCOVERY COMPLETED**

23 Counsel conferred via email for an FRCP 26(f) conference on March 17, 2025.

24 Plaintiff served initial disclosures pursuant to FRCP 26 on September 5, 2022.

25 Defendant has not yet served initial disclosures pursuant to FRCP 26.
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1 Plaintiff served Interrogatories, Requests for Admission, and Requests for Production to
2 Defendants Gates, Nash, and Castiglioni on March 12, 2025.

3 Plaintiff served Interrogatories, Requests for Admission, and Requests for Production to
4 Defendants Bayawa, Hubbard-Pickett, and Najera on March 18, 2025.

5 Plaintiff served Interrogatories, Requests for Admission, and Requests for Production to
6 Defendants Jefferson, Reubart, and Kinane-Wells on March 25, 2025.

7 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

- 8 1. Written Discovery;
9 2. Expert disclosures;
10 3. Depositions of Parties;
11 4. Depositions of NDOC's FRCP 30(b)(6) witnesses;
12 5. Depositions of percipient witnesses;
13 6. Deposition of treating providers;
14 7. Expert depositions; and
15 8. Subpoenas to third parties for records and information.

16 **III. REASONS THE REMAINING DISCOVERY WAS NOT COMPLETED**
17 **WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN**

18 This is a 42 U.S.C. § 1983 case where Plaintiff is alleging sexual assault, excessive force,
19 excessive solitary confinement, retaliation, mail interference and deliberate indifference to her
20 medical needs. Plaintiff's counsel filed their appearance in this matter on February 4, 2025¹, and
21 the Deputy Attorney General currently assigned file their notice of association of counsel on
22 March 6, 2025.² Both counsels have only recently begun to gather and review relevant
23 documents and evidence.
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Discovery will require gathering and reviewing numerous institutional records as well as discovery regarding the Defendants' personal participation in the events alleged to have violated Plaintiff's constitutional rights, and third-party discovery directed at the Nevada Department of Corrections, the Inspector General's office, and percipient witnesses.

In addition, the parties will have to obtain and review Plaintiff's medical records, take the depositions of Plaintiff's treating physicians, and ascertain the scope of the type and necessity of Plaintiff's future medical care.

The parties will need sufficient time to obtain, review, and analyze these records, and to take the depositions of several witnesses, including plaintiff, defendants, and ultimately, the parties' expert witnesses.

The parties respectfully submit that this revised discovery plan is an efficient and realistic schedule for completing the significant amount of discovery contemplated in this case, that will allow for discovery to begin as of the date that the parties are proposing for the responsive pleading to be filed.

IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY

The parties jointly propose the following discovery plan, which allows approximately 120 days to complete discovery:

Deadline:	Current Date:	Proposed Date:
Discovery Cut-Off:	April 16, 2025	August 14, 2025
Final date to file motions to amend pleadings or add parties (without a further court order):	March 17, 2025 (Expired)	July 25, 2025
Initial Expert Disclosure:	January 16, 2025 (Expired)	May 16, 2025
Rebuttal Expert Disclosure:	February 16, 2025	June 16, 2025

Dispositive Motions:	May 16, 2025	September 15, 2025
Joint Pre-Trial Order:	June 16, 2025	October 15, 2025

In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty days after the decision on the dispositive motions or by further order of the court. The parties anticipate that, pending any unforeseen circumstances outside the parties' control, the above extension of the current discovery deadlines should allow the parties to conduct and complete the outstanding discovery.

This first request for an extension of the current discovery deadlines is made by the parties in good faith and not for the purpose of delay.

DATED this 27th day of March 2025.

Respectfully submitted,

SGRO & ROGER

/s/ ELAINE ODEH
 ELAINE ODEH, ESQ.
 Nevada Bar No. 14099
 2901 El Camino Avenue, Suite 204
 Las Vegas, Nevada 89102
Attorney for Plaintiff

DATED this 27th day of March 2025.

Approved as to Form and Content Only,

**STATE OF NEVADA
 OFFICE OF THE ATTORNEY
 GENERAL**

/s/ JEFFREY WHIPPLE
 JEFFREY WHIPPLE, ESQ.
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 1 State of Nevada Way, Suite 100
 Las Vegas, NV 89119
Attorney for Defendants

ORDER

IT IS SO ORDERED that the parties' stipulation to extend discovery (EDF No. 38) is GRANTED.



UNITED STATES MAGISTRATE JUDGE

DATE: 4/1/2025